



LF03

Practitioner's Docket No. 2003-IP-011261U1P2

**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Patent application

of \_\_\_\_\_  
Inventor(s)

for \_\_\_\_\_  
Title of invention

**OR**

In re application of: Keith A. Frost, et al

Application No.: **0** 10/785,300

Group Art Unit:

Filed: 02/24/04

Examiner:

For: Orthoester Compositions and Methods for Reducing the Viscosity of  
Viscosified Treatment Fluids

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

**TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT  
WITHIN THREE MONTHS OF FILING OR  
BEFORE MAILING OF FIRST OFFICE ACTION (37 C.F.R. § 1.97(b))**

**CERTIFICATION UNDER 37 C.F.R. §§ 1.8(a) and 1.10\***  
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I hereby certify that, on the date shown below, this correspondence is being:

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**37 C.F.R. § 1.8(a)**

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**TRANSMISSION**

☐ facsimile transmitted to the Patent and Trademark Office, (703) \_\_\_\_\_

Date: 12/1/04

Tammy Knight  
Signature

Tammy Knight  
(type or print name of person certifying)

\* Only the date of filing (§ 1.8) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under § 1.8 continues to be taken into account in determining timeliness. See § 1.703(f). Consider "Express Mail Post Office to Addressee" (§ 1.10) or facsimile transmission (§ 1.8(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.

**NOTE:** 37 C.F.R. 1.98(b):

(1) Each U.S. patent listed in an information disclosure statement must be identified by inventor, patent number, and issue date.

(2) Each U.S. patent application publication listed in an information disclosure statement shall be identified by applicant, patent application publication number, and publication date.

(3) Each U.S. application listed in an information disclosure statement must be identified by the inventor, application number, and filing date.

(4) Each foreign patent or published foreign patent application listed in an information disclosure statement must be identified by the country or patent office which issued the patent or published the application, an appropriate document number, and the publication date indicated on the patent or published application.

(5) Each publication listed in an information disclosure statement must be identified by publisher, author (if any), title, relevant pages of the publication, date, and place of publication.

**WARNING:** No extension of time can be had under 37 C.F.R. § 1.136 (a) or (b) for filing an IDS. 37 C.F.R. § 1.97(f).

**NOTE:** The "filing date of a national application" under 37 C.F.R. § 1.97(b) has two possible meanings. Where the filing is a direct one to the United States Patent & Trademark Office, the filing is defined in 37 C.F.R. § 1.53(b) as "the date on which: (1) A specification containing a description pursuant to § 1.71 and at least one claim pursuant to § 1.75; and (2) any drawing required by § 1.81(a), are filed in the Patent and Trademark Office in the name of the actual inventor or inventors as required by § 1.41." 37 C.F.R. § 1.97(b)(1). On the other hand, an international application that enters the national stage occurs when the applicant has filed the documents and fees required by 35 U.S.C. § 371(c) within the periods set forth in § 1.494 or § 1.495. 35 U.S.C. § 371(c) requires the filing of the following: (1) the basic national fee; (2) a copy of the international application, unless already sent by the International Bureau, and optionally an English translation if filed in another language; and, also optionally (3) amendments under PCT Article 19, with a translation into English if made in another language; (4) an oath or declaration; and (5) a translation into English of any annexes to the international preliminary examination report, if such annexes were made in another language. The optional items must be submitted later, with surcharges. 37 C.F.R. § 1.97(b)(2).

### **IDENTIFICATION OF TIME OF FILING THE ACCOMPANYING INFORMATION DISCLOSURE STATEMENT**

The information disclosure statement submitted herewith is being filed within three months of the filing date of the application or date of entry into the national stage of an international application or before the mailing date of a first Office action on the merits, whichever event occurs last. 37 C.F.R. § 1.97(b).

**NOTE:** "No certification or fee is due when the filing is made within the above time period. It is advisable to ensure that no Office action has been mailed if the disclosure statement is delayed until after three months from filing."

**NOTE:** "An information disclosure statement will be considered to have been filed on the day it was received in the Office, or on an earlier date of a mailing if accompanied by a properly executed certificate of mailing under 37 C.F.R. 1.8, or Express Mail certificate under 37 C.F.R. 1.10. An Office action is mailed on the date indicated in the Office action." Notice of April 20, 1992 (1138 O.G. 37-41, 39). See also § 609, M.P.E.P., 8th Edition.

**NOTE:** "The term 'national application' includes continuing applications (continuations, divisions, continuations-in-part) so three-months will be measured from the actual filing date of an application as opposed [sic] to the effective date of a continuing application." Notice of April 20, 1992 (1138 O.G. 37-41, 39).

**NOTE:** "An action on the merits means an action which treats the patentability of the claims in an application, as opposed to only formal or procedural requirements. An action on the merits would, for example, contain a rejection or indication of allowability of a claim or claims rather than just a restriction requirements (37 C.F.R. 1.142) or just a requirement for additional fees to have a claim considered (37 C.F.R. 1.16(d)). Thus, if an application was filed on Jan. 1 and the first Office action on the merits was not mailed until six months later on July 1, the examiner would be required to consider any proper information disclosure statement filed prior to July 1." Notice of April 20, 1992 (1138 O.G. 37-41, 39).

**WARNING:** "A petition for suspension of action to allow applicant time to submit an information disclosure statement will be denied as failing to present good and sufficient reasons, since 37 C.F.R. § 1.97 provides adequate recourse for the timely submission of prior art for consideration by the examiner." Notice of July 6, 1992 (1141 O.G. 63). But see § 103(b) and (c), limited suspension of action in a continued prosecution application (CPA) filed under § 1.53(d) and in a request for continued examination (RCE) under § 1.114.

Reg. No.: 28,626

Tel. No.: (580) 251-3125

Customer No.:



**SIGNATURE OF PRACTITIONER**

Robert A. Kent

(type or print name of practitioner)

P.O. Box 1431

P.O.\*Address

Duncan, OK 73536-0440



**PATENT 2003-IP-011261U1P2**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants:	Keith A. Frost, et al	)	
		)	Art Unit: Unknown
Serial No.:	10/785,300	)	
		)	
Filed:	02/24/2004	)	Examiner: Unknown
		)	
For:	Orthoester Compositions	)	
	And Methods for Reducing	)	
	The Viscosity of	)	
	Viscosified Treatment	)	
	Fluids	)	

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

COMMISSIONER FOR PATENTS  
Alexandria, VA 22313-1450

SIR:

The following documents are known to Applicants or Applicants' attorneys and are submitted for the Examiner to consider in the above-captioned application.

**U. S. PATENTS**

U.S. Patent Number 2,703,316 issued 03/01/55 to Bentley J. Palmer;

U.S. Patent Number 3,272,650 issued 09/13/66 to Russell L. MacVittie;

U.S. Patent Number 3,819,525 issued 06/25/74 to David L. Hattenbrun;

U.S. Patent Number 3,912,692 issued 10/14/75 to Donald James Casey, et al;

U.S. Patent Number 3,948,672 issued 04/06/76 to Bobby G. Harnsberger;

U.S. Patent Number 3,955,993 issued 05/11/76 to Beverly A. Curtice, et al;

U.S. Patent Number 4,172,066 issued 10/23/79 to Maurice L. Zweigle, et al;

U.S. Patent Number 4,460,052 issued 07/17/84 to Judith Gockel;  
U.S. Patent Number 4,498,995 issued 02/12/85 to Judith Gockel;  
U.S. Patent Number 4,694,905 issued 09/22/87 to David R. Armbruster;  
U.S. Patent Number 4,715,967 issued 12/29/87 to Harold E. Bellis, et al;  
U.S. Patent Number 4,785,884 issued 11/22/88 to David R. Armbruster;  
U.S. Patent Number 4,886,354 issued 12/12/89 to Gary E. Welch, et al;  
U.S. Patent Number 4,957,165 issued 09/18/90 to Lisa A. Cantu, et al;  
U.S. Patent Number 4,986,355 issued 01/22/91 to Burton M. Casad, et al;  
U.S. Patent Number 5,216,050 issued 06/01/93 to Richard G. Sinclair;  
U.S. Patent Number 5,249,628 issued 10/05/93 to Jim B. Surjaatmadja;  
U.S. Patent Number 5,325,923 issued 07/05/94 to Jim B. Surjaatmadja, et al;  
U.S. Patent Number 5,330,005 issued 07/19/94 to Roger J. Card, et al;  
U.S. Patent Number 5,360,068 issued 11/01/94 to Eve S. Sprunt, et al;  
U.S. Patent Number 5,373,901 issued 12/20/94 to Lewis R. Norman, et al;  
U.S. Patent Number 5,386,874 issued 02/07/95 to Steven B. Laramay, et al;  
U.S. Patent Number 5,396,957 issued 03/14/95 to Jim B. Surjaatmadja, et al;  
U.S. Patent Number 5,402,846 issued 04/04/95 to Alfred R. Jennings, Jr., et al;  
U.S. Patent Number 5,497,830 issued 03/12/96 to Joel L. Boles, et al;  
U.S. Patent Number 5,499,678 issued 03/19/96 to Jim B. Surjaatmadja, et al;  
U.S. Patent Number 5,505,787 issued 04/09/96 to Kyouichi Yamaguchi;  
U.S. Patent Number 5,512,071 issued 04/30/96 to Benny S. Yam, et al;

U.S. Patent Number 5,604,186 issued 02/18/97 to Charles V. Hunt, et al;  
U.S. Patent Number 5,670,473 issued 09/23/97 to William H. Scepauski;  
U.S. Patent Number 5,698,322 issued 12/16/97 to Fu-Jya Tsai, et al;  
U.S. Patent Number 5,765,642 issued 06/16/98 to Jim B. Surjaatmadja;  
U.S. Patent Number 5,791,415 issued 08/11/98 to Philip D. Nguyen, et al;  
U.S. Patent Number 5,833,000 issued 11/10/98 to Jim D. Weaver, et al;  
U.S. Patent Number 5,853,048 issued 12/29/98 to Jim D. Weaver, et al;  
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U.S. Patent Number 5,908,073 issued 06/01/99 to Philip D. Nguyen, et al;  
U.S. Patent Number 5,924,488 issued 07/20/99 to Philip D. Nguyen, et al;  
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U.S. Patent Number 6,004,400 issued 12/21/99 to Phillip W. Bishop, et al;  
U.S. Patent Number 6,024,170 issued 02/15/00 to Michael A. McCabe, et al;  
U.S. Patent Number 6,028,113 issued 02/22/00 to William H. Scepauski;  
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U.S. Patent Number 6,123,965 issued 09/26/00 to Jules S. Jacob, et al;  
U.S. Patent Number 6,135,987 issued 10/24/00 to Fu-Jya Daniel Tsai, et al;  
U.S. Patent Number 6,169,058 B1 issued 01/02/01 to Hoang V. Le, et al;  
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U.S. Patent Number 6,202,751 B1 issued 03/20/01 to Jiten Chatterji, et al;  
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U.S. Patent Number 6,209,646 B1 issued 04/03/01 to Baireddy R. Reddy, et al;  
U.S. Patent Number 6,214,773 B1 issued 04/10/01 to Phillip C. Harris, et al;  
U.S. Patent Number 6,311,773 B1 issued 11/06/01 to Bradley L. Todd, et al;  
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U.S. Patent Number 6,364,945 B1 issued 04/02/02 to Jiten Chatterji, et al;  
U.S. Patent Number 6,390,195 B1 issued 05/21/02 to Philip D. Nguyen, et al;  
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U.S. Patent Number 6,488,763 B2 issued 12/03/02 to Lance E. Brothers, et al;  
U.S. Patent Number 6,494,263 B2 issued 12/17/02 to Bradley L. Todd;  
U.S. Patent Number 6,508,305 B1 issued 01/21/03 to Harold D. Brannon, et al;  
U.S. Patent Number 6,527,051 B1 issued 03/04/03 to Baireddy R. Reddy, et al;  
U.S. Patent Number 6,554,071 B1 issued 04/29/03 to Baireddy R. Reddy, et al;  
U.S. Patent Number 6,569,814 B1 issued 05/27/03 to Mark E. Brady, et al;  
U.S. Patent Number 6,667,279 B1 issued 12/23/03 to James E. Hessert, et al;  
U.S. Patent Number 6,681,856 B1 issued 01/27/04 to Jiten Chatterji, et al;  
U.S. Patent Number 6,686,328 B1 issued 02/03/04 to Christopher James Binder;  
U.S. Publication Number 2003/0188766 A1 published 10/09/03 by Souvik Banerjee, et al;

U.S. Publication Number 2004/0055747 A1 published 03/25/04 by Li-Jien Lee;  
U.S. Publication Number 2004/0106525 A1 published 06/03/04 by Dean Willberg, et al;  
U.S. Publication Number 2004/0138068 A1 published 07/15/04 by Brett Rimmer, et al;  
U.S. Publication Number 2004/0152601 A1 published 08/05/04 by John W. Still, et al;  
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Int'l Publication Number WO 03/027431 A2 published 04/03/03 by Claude E. Cooke, Jr.;  
Int'l Publication Number WO 03/027431 A3 published 04/03/03 by Claude E. Cooke, Jr.;  
European Patent Number 0 510 762 A2 published 10/28/92 by Mark Philip Houghton, et al.

### **PAPERS/OTHER**

*Selectively Placing Many Fractures in Openhole Horizontal Wells Improves Production, SPE 50422*, published 1998 Society of Petroleum Engineers by T. G. Love, et al;  
*Evolving New Stimulation Process Proves Highly Effective in Level 1 Dual-Lateral Completion, SPE 78697*, published 2002 Society of Petroleum Engineers by B. W. McDaniel, et al;  
*Aliphatic Polyesters: Synthesis, Properties and Applications* published 2002, Advances



in Polymer Science, Volume 157, Springer-Verlag by Ann-Christine Albertsson, et al;  
*Controlled Ring-Opening Polymerization of Lactide and Glycolide* published 2004  
American Chemical Society, Chemical Reviews, A-Z, AA-AD, by Odile Dechy-Cabaret,  
et al;  
*Synthetic Polymer Fracturing Fluid for High-Temperature Applications*, SPE 80236,  
published 2003 Society of Petroleum Engineers by Gary P. Funkhouser, et al;  
*Chelating Agents*, Encyclopedia of Chemical Technology, Volume 5, 764-795;  
*A New Assay for the Enzymatic Degradation of Polylactic Acid*, Short Report, published  
ScienceAsia 29 (2003): 297-300 by Virun Vichaibun, et al;  
Patent Application Number 10/864,061 filed 06/09/04, *Aqueous Tackifier and Methods of  
Controlling Particulates* by Matt Blauch, et al;  
Patent Application Number 10/864,618 filed 06/09/04, *Aqueous-Based Tackifier Fluids  
and Methods of Use* by Matt Blauch, et al.

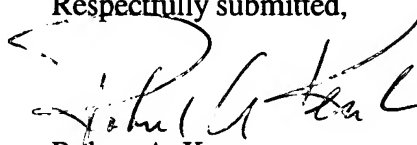
### **BROCHURES**

*SurgiFrac<sup>SM</sup> Service, A Quick and Cost-Effective Method to Help Boost Production From  
Openhole Horizontal Completions*, HO3297, published 2002 Halliburton  
Communications;  
*Cobra Frac<sup>SM</sup> Service, Coiled Tubing Fracturing—Cost-Effective Method for Stimulating  
Untapped Reserves* HO2319R, published 2000 Halliburton Energy Services, Inc;  
*CobraJet Frac<sup>SM</sup> Service, Cost-effective Technology That Can Help Reduce Cost Per  
BOE Produced, Shorten Cycle Time and Reduce Capex* published Halliburton

Communications.

Copies of the aforementioned non-patent references and Form PTO-1449 are submitted herewith.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Robert A. Kent", written over a horizontal line.

Robert A. Kent

Registration No. 28,626

Halliburton Energy Services

P. O. Box 1431

Duncan, OK 73536-0440

580-251-3125

PTO-1449	Application No. 10/785,300	Applicant(s) Keith A. Frost, et al	
	Docket Number 2003-IP-011261U1P2	Group Art Unit	Filing Date 02/24/2004

**U.S. PATENT DOCUMENTS**

DOCUMENT NO.	ISSUE/ PUB. DATE	NAME	CLASS	SUBCLASS	FILING DATE
2,703,316	03-01-55	Palmer	260	78.3	06-05-51
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3,819,525	06-25-74	Hattenbrun	252	132	08-21-72
3,912,692	10-14-75	Casey <i>et al.</i>	260	78.3	09-24-74
3,948,672	04-06-76	Harnsberger	106	90	09-26-74
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4,715,967	12-29-87	Bellis	252	8.551	12-27-85
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4,957,165	09-18-90	Cantu <i>et al.</i>	166	295	06-19-89
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5,325,923	07-05-94	Surjaatmadja, <i>et al.</i>	166	308	09-30-93
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5,360,068	11-01-94	Sprunt, <i>et al.</i>	166	259	04-19-93
5,373,901	12-20-94	Norman, <i>et al.</i>	166	300	07-27-93
5,386,874	02-07-95	Laramay, <i>et al.</i>	166	300	11-08-93
5,396,957	03-14-94	Surjaatmadja, <i>et al.</i>	166	308	03-04-94
5,402,846	04-04-95	Jennings, Jr., <i>et al.</i>	166	259	11-15-93
5,497,830	03-12-96	Boles, <i>et al.</i>	166	300	04-06-95
5,499,678	03-19-96	Surjaatmadja, <i>et al.</i>	166	298	08-02-94

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP § 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant.

PTO-1449  <b>Information Disclosure Citation in an Application</b>	Applic,ation No. 10/785,300	Applicant(s) Keith A. Frost, et al	
	Docket Number 2003-IP-011261U1P2	Group Art Unit	Filing Date 02/24/2004

**U.S. PATENT DOCUMENTS**

		DOCUMENT NO.	ISSUE/PUB. DATE	NAME	CLASS	SUBCLASS	FILING DATE
		5,505,787	04-09-96	Yamaguchi	134	4	01-28-94
		5,512,071	04-30-96	Yam, <i>et al.</i>	51	307	02-25-94
		5,604,186	02-18-97	Hunt, <i>et al.</i>	507	204	02-15-95
		5,670,473	09-23-97	Scepanski	510	445	06-06-95
		5,698,322	12-16-97	Tsai, <i>et al.</i>	428	373	12-02-96
		5,765,642	06-16-98	Surjaatmadja	166	297	12-23-96
		5,791,415	08-11-98	Nguyen, <i>et al.</i>	166	280	03-13-97
		5,833,000	11-10-98	Weaver, <i>et al.</i>	166	276	02-18-97
		5,853,048	12-29-98	Weaver, <i>et al.</i>	166	279	04-21-98
		5,893,416	04-13-99	Read	166	304	11-28-97
		5,908,073	06-01-99	Nguyen, <i>et al.</i>	166	276	06-26-97
		5,924,488	07-20-99	Nguyen, <i>et al.</i>	166	280	06-11-97
		5,964,291	10-12-99	Bourne, <i>et al.</i>	166	279	02-28-96
		6,004,400	12-21-99	Bishop, <i>et al.</i>	134	2	07-09-97
		6,024,170	02-15-00	McCabe, <i>et al.</i>	166	300	06-03-98
		6,028,113	02-22-00	Scepanski	514	643	09-27-95
		6,047,772	04-11-00	Weaver, <i>et al.</i>	166	276	11-09-98
		6,123,965	09-26-00	Jacob, <i>et al.</i>	424	489	08-18-98
		6,135,987	10-24-00	Tsai, <i>et al.</i>	604	365	12-22-99
		6,169,058 B1	01-02-01	Le, <i>et al.</i>	507	222	06-05-97
		6,172,011 B1	01-09-01	Card, <i>et al.</i>	507	204	03-08-96
		6,202,751 B1	03-20-01	Chatterji, <i>et al.</i>	166	276	07-28-00
		6,209,643 B1	04-03-01	Nguyen, <i>et al.</i>	166	276	03-06-00
		6,209,646 B1	04-03-01	Reddy, <i>et al.</i>	166	300	04-21-99
		6,214,773 B1	04-10-01	Harris, <i>et al.</i>	507	271	09-29-99
		6,311,773 B1	11-06-01	Todd, <i>et al.</i>	166	280	01-28-00
		6,323,307 B1	11-27-01	Bigg, <i>et al.</i>	528	354	08-16-95
		6,357,527 B1	03-19-02	Norman, <i>et al.</i>	166	300	05-05-00

**EXAMINER**

**DATE CONSIDERED**

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP § 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant.

PTO-1449	Application No. 10/785,300	Applicant(s) Keith A. Frost, et al	
	Docket Number 2003-IP-011261U1P2	Group Art Unit	Filing Date 02/24/2004

**Information Disclosure Citation in an Application**

**U.S. PATENT DOCUMENTS**

		DOCUMENT NO.	ISSUE/PUB. DATE	NAME	CLASS	SUBCLASS	FILING DATE
		6,364,945 B1	04-02-02	Chatterji, <i>et al.</i>	106	677	12-13-00
		6,390,195 B1	05-21-02	Nguyen, <i>et al.</i>	166	276	10-27-00
		6,422,314 B1	07-23-02	Todd, <i>et al.</i>	166	312	08-01-00
		6,454,003 B1	09-24-02	Chang, <i>et al.</i>	166	270	06-14-00
		6,485,947 B1	11-26-02	Rajgarhia, <i>et al.</i>	435	139	05-19-00
		6,488,763 B2	12-03-02	Brothers, <i>et al.</i>	106	692	10-05-01
		6,494,263 B2	12-17-02	Todd	166	312	01-09-01
		6,508,305 B1	01-21-03	Brannon, <i>et al.</i>	166	293	09-14-00
		6,527,051 B1	03-04-03	Reddy, <i>et al.</i>	166	300	07-12-02
		6,554,071 B1	04-29-03	Reddy, <i>et al.</i>	166	293	07-12-02
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EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP § 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant.

PTO-1449  <b>Information Disclosure Citation in an Application</b>	Application No. 10/785,300	Applicant(s) Keith A. Ford, et al	
	Docket Number 2003-IP-011261U1P2	Group Art Unit	Filing Date 02/24/2004

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		DOCUMENT NO.	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
							Yes	No
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